

MAR 30 2010

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I hereby certify that this paper is being facsimile transmitted to the  
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MARCH 30 2010  
Date

  
Francis C. Hand

**Mail Stop Petitions****Attention: Office of Petitions****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Examiner: Bayan Salone  
Applicant: Bjorn Ove Dalseide  
Serial No.: 10/566,141  
Filed: January 27, 2006  
Title: Device of a Descaler Head

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Petition Pursuant to 37 CFR 1.181(a)**

Sir:

This is a Petition under 37 CFR 1.181 (a) for entry of an Amendment after Final  
Rejection filed October 20, 2009.

**Statement of Facts**

1. A Final Rejection was issued on September 30, 2009 rejecting all the  
claims of this application, i.e. claims 13 -22 on a new ground of rejection.
2. On October 20, 2009, a telephone interview was held among Examiners  
Bayan Salone and David Bryant and the undersigned.
3. An Interview Summary of the telephone interview of October 20, 2009 was  
issued on October 22, 2009 by Supervisory Examiner David Bryant stating in closing:

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"In conclusion the applicant will most likely file an amendment further detailing the deformation of the disc-shaped plates and how the descender portions are longitudinally offset in different planes. The examiners concurred that such an amendment would appear to define over the rejection of record."

4. On October 20, 2009, Applicant filed an Amendment After Final Rejection in which each of the independent claims of the application, i.e. claims 13 and 18, were amended in accord with the interview conclusion, i.e. adding "each said deformed section being twisted about an axis passing through a center of said respective plate".

5. On December 7, 2009, an Advisory Action was issued by Supervisor David Bryant refusing entry of the proposed amendments of the Amendment After Final Rejection because (a) they raise new issues that would require further consideration and/or search and (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal. Reason (a) further stated that the newly recited limitation "each said deformed section being twisted about an axis passing through a center of said respective plate" would require further consideration and/or search.

6. On December 9, 2009, the undersigned telephoned the office of Supervisor David Bryant but was advised that he was out until the next day. Subsequently, the undersigned contacted Supervisor David Bryant by telephone to seek clarification of why the Amendment After Final Rejection was refused entry in light of the agreement reached during the telephone interview of October 20, 2009. Supervisor David Bryant replied that the proposed amendment to the claims would require further

search and/or consideration even though the amendment was in accord with the conclusion of the interview.

7. On or about December 10, 2009, the undersigned telephoned the office of Group Director Karen Young and requested that she talk to Supervisor David Bryant regarding his reasons for not entering the Amendment After Final Rejection. Group Director Karen Young stated that she would talk to Supervisor David Bryant and get back to the undersigned.

8. On January 20, 2010, the undersigned telephoned the office of Group Director Karen Young and left a message with the secretary of that office requesting that Group Director Karen Young return his telephone call. No return call was received.

9. On January 28, 2010, the undersigned again telephoned the office of Group Director Karen Young and left a message with the secretary of that office requesting that Group Director Karen Young return his telephone call. No return call was received. Further like telephone calls were made by the undersigned over the course of the following weeks with no response from Group Director Karen Young

10. Subsequently, on March 23, 2010, the undersigned telephoned the Office of Deputy Commissioner and spoke with Michael Neas regarding the non-responsiveness of Group Director Karen Young to the undersigned.

11. On March 30, 2010, Michael Neas telephoned the undersigned and advised that his telephone calls to Group Director Karen Young did not receive any responsive call from her and suggested that this Petition be filed to seek relief and to file a paper to keep the application pending.

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12. A Request for Continued Examination is being filed herewith to maintain the application pending.

13. A Request for an Extension of Time is being filed herewith for three months to March 30, 2010.

#### Points to be Reviewed

1. The Amendment After Final Rejection is entitled to entry as being in accord with the conclusion of the interview of October 20, 2009.

2. Entry of the Amendment After Final Rejection would overcome the Final Rejection of the claims of the application.

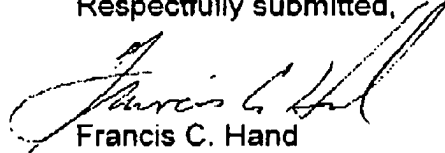
#### Action Requested

It is respectfully requested that the Amendment After Final Rejection be entered and that the Final Rejection of the claims of the application be withdrawn.

It is respectfully that deposit account 03-0678 be credited with the cost of the Request for Continued Examination and the Request for an Extension of Time.

It is respectfully requested that any further relief that may be given to Applicant be granted at this time.

Respectfully submitted,



Francis C. Hand  
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